



U.S. Department of Justice

United States Attorney
District of New Jersey
Civil Division

PHILIP R. SELLINGER
UNITED STATES ATTORNEY

Alex Silagi
Assistant United States Attorney

970 Broad Street, Suite 700
Newark, NJ 07102
alex.silagi@usdoj.gov

main: (973) 645-2700
direct: (973) 353-6001
fax: (973) 297-2010

December 22, 2023

BY EMAIL

The Hon. Renée Marie Bumb, Chief Judge
United States District Court for the District of New Jersey
4th and Cooper Streets
Camden, NJ 08101

Re: *State of New Jersey v. U.S. Dep't of Transp., et al.*,
Civil Action No. 23-3885 (BRM) (LDW)

Dear Chief Judge Bumb:

This Office, along with the U.S. Department of Justice Environment and Natural Resources Division, represents Defendants the U.S. Department of Transportation, the Federal Highway Administration ("FHWA"), Shailen Bhatt, in his official capacity as Administrator of FHWA, and Richard J. Marquis, in his official capacity as Division Administrator of the New York Division of FHWA (together, the "Government"). We have received the December 6, 2023, letter from New York State Senator Brad Hoylman-Sigal requesting that the Hon. Brian R. Martinotti, U.S.D.J., recuse himself from the above case and from a related case, *Sokolich v. U.S. Department of Transportation, et al.*, No. 23-21728 (BRM) (LDW). Particularly considering the improper manner in which this issue was presented to the Court, the Government believes the letter raises no grounds for departure from its usual practice of deferring to the Court on issues of recusal.

We thank the Court for its attention to this matter.

Respectfully submitted,

PHILIP R. SELLINGER
United States Attorney

By: s/ Alex Silagi
ALEX D. SILAGI
Assistant United States Attorney

/s/ GREGORY M. CUMMING

GREGORY M. CUMMING

SHARI HOWARD

SAMANTHA G. PELTZ

Trial Attorneys

Environment & Natural Resources Division

cc: Hon. Brian R. Martinotti (Brian_Martinotti@njd.uscourts.gov)
Craig Carpenito (CCarpenito@kslaw.com)
Counsel of Record (by email)